

THE TORTURE DEBATE AND ZERO DARK THIRTY

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Zero Dark Thirty – who has seen it? For those of you who haven't, it is a Hollywood film released in December 2012 concerning the tracking down and murder, in the May 2011, of Osama Bin Laden by American forces. In four scenes torture is shown; in three others it is implied.

Here is one of them, from near the beginning of the film:

[ZDT CLIP

viewable on YouTube at: <http://www.youtube.com/watch?v=zllzOrTvXLc>]

In this paper I would like to focus on the debate which has surrounded the film's handling of torture.

This debate is a complex one, focusing as it does on questions both of fact and value.

The facts: whether or not the torture as represented resembles the events which actually occurred in the search for Bin Laden.

The values: whether or not the events as they actually occurred should be or should have been represented; whether or not the torture in the film, truthful or otherwise, was presented in a way which tried to justify it; and whether or not the film, if it *did* present torture in a way which tried to justify it, should have done so.

All sixteen permutations of two answers to these four questions are possible, though some are commoner than others.

And there is one further issue of value.

Some critics have argued that the film's status as fictional absolves it of responsibility to fact *or* value. They either *elevate* the film into the aesthetic realm, or diminish it

into that of entertainment – each realm with its supposed independence from history and morality.

The Chicago Tribune film critic Michael Phillips described it as ‘a must-see despite the CIA's recent criticisms of its accuracy.’ Mark Bowden, the author of *Black Hawk Down*, said that this was ‘not journalistic but a Hollywood movie.’ It was widely praised as a well-made action film.

Yet, if this type of criticism were the only kind, then the film would have grossed far less than the 140 million dollars it has to date, the debates to which it denies relevance having been responsible for much of the film's publicity. Even before it was launched, US senators had accused the film of endorsing torture; the film's director Kathryn Bigelow, its writer, Mark Boal, and its leading actress, Jessica Chastain, had responded in its defence; and many people who hadn't seen the film entered the debate nonetheless. It would not have crossed *my* radar, or been the subject of this talk, but for this debate.

The last two of the film's three official trailers built on this, opening with voiceover from the CIA torturer Jack: ‘Can I be honest with you? I am bad news [...] I'm going to break you’

Bigelow was proud of the fact that her film had stimulated a debate on torture, which had already – it has to be said – been quite lively.

For a *Time Out* interview she said: ‘Sadly, this conversation was not nearly as spirited before this movie, and I can't answer why. It's worth discussing and re-examining’. Some critics see it ‘exactly the way it was intended’, as ‘a piece of art put out there for discourse’; ‘it's a very spirited discourse that it seems to be stimulating.’

Yet Bigelow also said that:

‘I find it interesting that you could see ‘Zero Dark Thirty’ and in any way come to the conclusion that it is pro-harsh tactics. It's absolutely inconceivable. Certainly, my feeling going in was: if we don't examine some of the more regrettable acts that transpired in the name of finding Osama Bin Laden, we're going to repeat them’.

That is, she both wanted her film to stimulate debate about torture, and not to be interpreted as supporting it. Rather, she was nonplussed by those who interpreted the film in a different way to her.

Now, a range of interpretations of a film is not *necessary* to it stoking a debate, when it comes to a topic such as torture, which divides – as it currently does - opinions as to whether it should be practised or represented. The television series *24* was universally interpreted as supporting torture. Peter Weiss's 1966 tribunal play, *Die Ermittlung*, based on transcripts of the Frankfurt Auschwitz trials, was universally interpreted as condemning the torture it described. Yet both still provoked debate.

But *Zero Dark Thirty* did split its interpreters, I think for these reasons:

24 did not orientate itself towards historical facts; the facts with which *Die Ermittlung* were concerned were uncovered through the very forensic process which the play re-enacted. In the case of ZDT, the exact nature and efficacy of the torture alluded to is not common knowledge, and viewers' individual knowledge and assumptions concerning these affect their interpretation of the film's facts, and therefore of its values.

Finding the film to exaggerate the usefulness or diminish of the brutality of the torture involved in the search for Bin Laden is likely to correspond to a position of endorsing torture – and the reverse.

But even bracketing out the comparandum of historical fact, the film has *rhetoric*, which is judged in relation to one's own prior attitudes. Those most strongly opposed to torture are most likely to see the film as pro-torture, those most supportive of it are most likely to see it as critical or neutral.

A debate about interpretation of the film therefore *is* a debate both about historical facts, and values – and should be recognised as such by everyone who engages in it. Individuals vary widely in their interpretation of the film's *Gestalt* by virtue of variation in their understanding of facts and values that exist outside of film.

Bigelow's bewilderment that her film *could be interpreted* as pro-torture confirms the respects in which it is. And these, I would argue, are many.

There is no space here to rehearse them here all in detail; here is an overview.

Torture is shown to be an intrinsic part of the extraction of the name of Abu Ahmed (Bin Laden's courier) from several prisoners, even if the scene in which the name is first uttered is a meal between interrogators and prisoner. Another detainee, after being threatened with rendition to Israel, pleads: 'I have no wish to be tortured again. Ask me what you wish and I will answer'. It is as though he is pleading simultaneously with two sets of torturers; he is appealing to the CIA with his offer of information; and with his confession of the efficacy of torture he is appealing to the film's creators for mercy.

The tortures shown – strap-hanging, darkness, loud music, near-drowning, and confinement to a box – are shown briefly and therefore shown *as* brief, and are by a long way not the worst of the tortures committed by Americans in that period, which also include faked executions, forced nakedness for days on end, sexual humiliation, staring into bright light, sitting on hot surfaces, induced hypothermia, doing push-ups with guards standing on prisoners' backs, being allowed only two bathroom trips a day and being left soiled, guards urinating on prisoners, men and women prisoners being raped by penises, rifles, and fluorescent lights, electric shocks, breaking of bones, and beating to death.

The proportion of useful to wrong or useless information generated by actual torture was and is tiny. The proportions in this film are about fifty-fifty - hence certain misguided appraisals of the film as balanced.

The torturers Jack and Maya are unambiguously the film's moral heroes. And they focalise its narration. Only once is the camera alone with a prisoner strapped to the ceiling of a dark room filled with aggressive music, and that only for a couple of seconds before the torturers enter. The torture chamber sets feel unpleasant, but safe; viewers are only required to take a small imaginative step into them from the safety of the cinema, not the giant leap that would be required for empathy with the prisoner. Every new location to which a lead has directed the next investigation and next scene of the film, is identified to the viewer by subtitles – but presumably not to the prisoners who find themselves extraordinarily rendered there: for example 'CIA

Black Site, Gdansk, Poland' – an extraordinarily cheerfully candid acknowledgment of the existence of black sites.

Revulsion from torture is at first embodied in Maya, and then, suggestively, shown as being overcome by her. Early in the film we see her watching torture live; later we see her watching it on tape, suggesting that she has become distanced from it and is doing what we are doing – watching a film for its *plot*. Her beautiful face is intercut with the ugly footage, contrasted to rather than implicated in it.

Her colleague Jack retires from Afghanistan once the torture has got too much for him but there is no suggestion that he is traumatised. Maya remains, and is stressed – but entirely by her failure to find Bin Laden, not by the torture. Former Guantanamo guard Brandon Neely criticised *Zero Dark Thirty* for not representing the effect of torture on the interrogators.

One other crucial atypicality of the film is that it excludes internal CIA debate on the acceptability of torture. That is to say, a film which has provoked debate not only about its subject matter but about what its stance on that subject matter is, excludes debate from that subject matter, at the expense of veracity. Jane Mayer of the New York amongst others has pointed out that there was considerable opposition to torture within the CIA in the early 2000s. References to opposition to torture - from President Obama, glimpsed on television, and from the heroes, who lament people being 'lawyered up', and say 'As you know, Abu Ghraib and Gitmo fucked us' – are dismissive of anti-torture arguments. That is, by failing to include debates *about* torture, it fails to debate torture – and therefore to be what Bigelow described as 'a piece of art put out there for discourse'.

Rather, it endorses torture, in an insinuating way that is sometimes mistaken for openness to debate. Unlike *24*, which merely outraged people who were disposed to condemn torture, it makes concessions – that torture can yield false information, that other investigative and interrogative methods are at least as useful, that prisoners can retain some dignity despite torture, that the political climate has turned against torture, that it can be unpleasant and stressful to inflict, and that it should be performed as certain Christian theologians have argued that the rather disgusting act of sex should be performed – never for pleasure, or its own sake, but as the means to an end. And,

as with sex, if the end is not achieved every time, it is absolved by the fact that the spirit in which it was performed was the right one.

Yet it is possible for sex or violence to be engaged in in what is apparently a perfectly sober manner – as Frederick the Great instructed his armies, go into battle as you would into a church – and still to take intense visceral pleasure from it. I would not in fact say that Jack and Maya are shown as doing this. Jack has a facetious manner which is part of his interrogational strategy but when off duty shows no enthusiasm for torture. Maya is the more obsessive torturer, but in a stressed, angry, and goal-orientated way. Yet it is possible for a *film* to take such pleasure, even whilst, superficially, treating torture soberly.

This was journalist Michael Wolff's suggestion, when he described Bigelow as a "fetishist and sadist" who made history an excuse for: 'the total sexiness of physical abuse.' Similarly, Slavoj Žižek suggested that were a similar film to be made about a brutal rape or the Holocaust, it would "embody a deeply immoral fascination with its topic, or it would count on the obscene neutrality of its style to engender dismay and horror in spectators." He is, I would argue, wildly optimistic about likely responses to treatments of brutal rape – but I also think that both his suggestions are wide of the mark in relation to this film. I do not think that it is fascinated with torture, nor as Wolff suggests, with its sexiness. Nor does it have an obscene neutrality of style, since depictions of torture can never be even stylistically neutral.

Rather - the film is not only well-made from a cinematographic point of view, but is highly rhetorically proficient. Its ability to depict acts which commonly cause revulsion without losing viewers' sympathy for the perpetrators is true not only in relation to the torture, but most remarkably in the climactic invasion of Bin Laden's compound. Several unarmed women as well as men are shot; children look on and cry as their parents are killed; the marines appear monstrous in night vision goggles, each eye shooting green light in two directions – and yet the film's sympathy remains firmly with them, and *their* agenda. As Jane Mayer comments: 'If [Bigelow] were making a film about slavery in antebellum America, it seems, the story would focus on whether the cotton crops were successful.'

Now, almost every story ever told has been focalised through or on a subset of its characters. Telling the story of the events which preceded Bin Laden's murder from the point of view of CIA officers is a legitimate thing to do. The torture which they inflict is by definition the overwhelming concern of the prisoners, whilst they themselves have the physical liberty to entertain another concern, which is the discovery of Bin Laden. However, the film falls squarely into a genre – the police procedural. Within this genre, the discovery of the target fact of BL's location is of overwhelming importance at the joint level of plot (fact) and value (rhetoric). But life as lived – and most especially as lived within pressing constraints, such as were experienced by CIA officers in the early 2000s – defies genre. Torture would not have meant as little to its perpetrators as the film's genre permits it to suggest. I do not argue that any film of any pretention to factuality which contains torture, must have torture as its central theme. But insofar as it is present, it must be allowed to have its existence as the moral obscenity which it inevitably is. The film's obvious comparandum, Pontecorvo's *Battle for Algiers*, does this to a far greater degree – whilst doing the inverse of *Zero Dark Thirty*, making conditions tough for its anti-torture sentiments by presenting FLN atrocities, and deeply felt colonialist sentiment.

Maya and her viewers both witness torture, then, trying to work out whether a prisoner is telling the truth. The critically active viewer is in addition trying to work out how truthful the film is being, or what rhetorical strategies it might be using to manipulate us. This requires not hitting the film, nor twisting it (recalling the etymological origins of torture in *torque*), but in calmly interrogating it, and comparing the stories which it tells with what we have verified as fact from other sources. And, having done this, we can pass judgment, and welcome the fact that of the five Academy Awards and four Golden Globe Awards for which it was nominated it gained only one of each – for Sound Editing and Best Actress respectively.

I would say to the film as Maya says to her prisoners: 'You can help yourself by being truthful'. Because when it comes to historical torture, art lets nothing off the hook.

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CAPPE CONFERENCE: REPRESENTATION, POLITICS, AND VIOLENCE

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ZERO DARK THIRTY

157 minutes

Released December 2012

Columbia Pictures

Writer Mark Boal

Director Kathryn Bigelow

(Title is military code for 00:30
a.m.)

Mark Bowden: '[P]ure storytelling is not always about making an argument, no matter how worthy. It can be simply about telling the truth.' [*Zero Dark Thirty* is not pro-torture', *The Atlantic*, January 3rd, 2013, <http://www.theatlantic.com/entertainment/archive/2013/01/zero-dark-thirty-is-not-pro-torture/266759/>, accessed 11.9.13

Glenn Kenny: 'a movie that subverted a lot of expectations concerning viewer identification and empathy'; 'rather than endorsing the barbarity, the picture makes the viewer in a sense complicit with it', which is a 'whole other can of worms'.

'*Zero Dark Thirty*: Perception, reality, perception again, and "the art defence"'
December 17th, 2012,
http://somecamerunning.typepad.com/some_came_running/2012/12/anti-torture-anti-art.html, accessed 11.9.13

Emily Bazelon: ‘The filmmakers didn't set out to be Bush-Cheney apologists’, but ‘they adopted a close-to-the-ground point of view, and perhaps they're in denial about how far down the path to condoning torture this led them’

‘Does *Zero Dark Thirty* advocate torture?’ *Slate*, December 11th, 2012, http://www.slate.com/articles/arts/culturebox/2012/12/zero_dark_thirty_and_torture_does_kathryn_bigelow_s_bin_laden_movie_make.2.html, accessed 11.9.13

Naomi Wolf: ‘Your [Bigelow’s] film claims, in many scenes, that CIA torture was redeemed by the “information” it “secured”, information that, according to your script, led to Bin Laden's capture. This narrative is a form of manufacture of innocence to mask a great crime: what your script blithely calls “the detainee program” [...] Like Riefenstahl, you are a great artist. But now you will be remembered forever as torture’s handmaiden.’

‘A letter to Kathryn Bigelow on *Zero Dark Thirty*'s apology for torture’, 4th January 2013, *The Guardian*, <http://www.theguardian.com/commentisfree/2013/jan/04/letter-kathryn-bigelow-zero-dark-thirty>, accessed 11.9.13

Jane Mayer: ‘In her [Bigelow’s] hands, the hunt for bin Laden is essentially a police procedural, devoid of moral context. If she were making a film about slavery in antebellum America, it seems, the story would focus on whether the cotton crops were successful.’

‘Zero Conscience in *Zero Dark Thirty*’, 12th December 2012, *The New Yorker*, <http://www.newyorker.com/online/blogs/newsdesk/2012/12/torture-in-kathryn-bigelows-zero-dark-thirty.html#ixzz2FEv7RPBo>, accessed 11.9.13